

1 Miles N. Clark, Esq.
2 Nevada Bar No. 13848
3 LAW OFFICES OF MILES N. CLARK, LLC
4 5510 S. Fort Apache Rd, Suite 30
5 Las Vegas, NV 89148
6 Phone: (702) 856-7430
7 Fax: (702) 552-2370
8 Email: miles@milesclarklaw.com

9 *Counsel for Plaintiff,*
10 *Samantha Buckley*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 SAMANTHA BUCKLEY,

14 Plaintiff,

15 v.

16 CONVERGENT OUTSOURCING, INC.,

17 Defendant.

Case No. 2:23-cv-00636-JAD-NJK

STIPULATED DISCOVERY PLAN AND
~~PROPOSED~~ SCHEDULING ORDER

Complaint filed: April 24, 2023

Assigned to Hon. Judge Jennifer A. Dorsey

18 Plaintiff Samantha Buckley (“Plaintiff”) and Defendant Convergent Outsourcing, Inc.,
19 (“Defendant” or “Convergent”) (collectively, the “Parties”), by and through their counsel of
20 record, conducted a 26(f) conference on June 8, 2023, and hereby submit their stipulated Discovery
21 Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 16 and 26, as well as LR
22 16-1 and 26-1. It is hereby requested that the Court enter the following discovery plan and
23 scheduling order:
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1. DISCOVERY PLAN:¹

Discovery Cutoff	November 13, 2023
Deadline to serve Initial Disclosures	June 22, 2023
Deadline to amend pleadings / join parties	August 15, 2023
Deadline to serve Initial Expert Disclosures	September 14, 2023
Deadline to serve Rebuttal Expert Disclosures	October 14, 2023
Deadline to file Dispositive Motions	December 13, 2023
Deadline to file Joint Pretrial Order	January 12, 2024

2. PRETRIAL ORDER: In the event that parties file dispositive motions, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision on the dispositive motions or further order of the Court. The disclosure required by Federal Rule of Civil Procedure 26(a)(3) and objections thereto shall be made in the pre-trial order.

3. INITIAL DISCLOSURES: Any party seeking damages shall comply with Federal Rules of Civil Procedure 26(a)(1)(A)(iii).

4. EXTENSION OF DISCOVERY DEADLINES: Requests to extend the discovery shall comply fully with ~~LR 26-4~~ ^{LR 26-3}. Applications to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1, be supported by a showing of good cause for the extension.

The motion or stipulation shall include:

¹ The discovery cutoff date was calculated 180 days from the date Convergent entered its appearance on May 16, 2023. [ECF Dkt. 5]

- a. A statement specifying the discovery completed by the parties as of the date of the motion or stipulation;
- b. A specific description of the discovery which remains to be completed;
- c. The reasons why such remaining discovery was not completed within the time limit of the existing discovery deadline; and,
- d. A proposed schedule for the completion of all remaining discovery.

It is not good cause for a later request to extend discovery that the parties informally postponed discovery. Any stipulation that would interfere with any time set for completion of discovery, for hearing of a motion, or for trial, may be made only with approval of the Court.

5. ELECTRONICALLY STORED INFORMATION (“ESI”):

The Parties stipulate and agree that all discoverable documents will be produced on CD-ROM or via Secure File Transfer, or via Email with password protection in Portable Document Format (“PDF”) with optical text recognition (electronically searchable text) as reasonably practicable. The Parties further agreed that the “parent-child relationships” between documents will be preserved when documents are produced (e.g., e-mails and their attachments will be produced together with consecutive bates numbers) as reasonably practicable. The Parties stipulate and agree that all discoverable documents will be produced on CD-ROM, or sent by email or via a secure file-transfer site, in Portable Document Format (“PDF”) with optical text recognition (electronically searchable text) as reasonably practicable.

While the Parties agree at this time that it is not necessary to produce the metadata for electronic documents, the Parties reserve their respective rights to request such information should any Party deem it necessary. This agreement determines only the format in which the Parties produce documents; it does not affect any other right of any Party.

1 **6. LR 26-1(B) CERTIFICATIONS:** The parties certify that they considered consenting
2 to trial by a magistrate judge and use of the Short Trial Program. The parties further certify that
3 they met and conferred about the possibility of using alternative dispute resolution processes
4 including, mediation, arbitration, and early neutral evaluation. Additionally, the parties certify
5 that they discussed whether they intend to present evidence in electronic format to jurors for the
6 purposes of jury deliberations.

7 **7. ELECTRONIC SERVICE.** The Parties agree to accept electronic service of discovery
8 requests and responses pursuant to Federal Rule of Civil Procedure 5(b)(2)(e). To the extent
9 discovery requests are served on a Saturday, Sunday, or legal holiday, service will be deemed
10 discovery requests are served on a Saturday, Sunday, or legal holiday, service will be deemed
11 effective on the next day that is not a Saturday, Sunday, or legal holiday. The parties discussed
12 whether they intend to present evidence in electronic format to jurors for the purpose of jury
13 deliberations and agreed that should discovery be provided in an electronic format at trial, it will
14 be compatible with the court's electronic jury evidence display system pursuant to LR 26-1(b)(9).
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8. **PROTECTIVE ORDERS.** Any party may seek to enter into a stipulated protective order pursuant to Federal Rule of Civil Procedure 26(c) prior to producing any confidential documents in its possession. A proposed stipulated protective order has been circulated by Plaintiff, has been agreed to by the parties, and will be filed shortly after filing of this proposed discovery plan.

IT IS SO STIPULATED.

DATED: June 12, 2023.

LAW OFFICES OF MILES N. CLARK, LLC

/s/ Miles N. Clark

Miles N. Clark, Esq.
Nevada Bar No. 13848
5510 S. Fort Apache Rd, Suite 30
Las Vegas, NV 89148
Email: miles@milesclarklaw.com

*Counsel for Plaintiff,
Samantha Buckley*

SESSIONS, ISRAEL & SHARTLE, LLP

/s/ James K. Schultz

James K. Schultz, Esq.
Nevada Bar No. 10219
1550 Hotel Circle North, Suite 260
San Diego, CA 92108
Email: jschultz@sessions.legal

LINCOLN, GUSTAFSON & CERCOS, LLP

Shannon G. Splaine, Esq.
Nevada Bar No. 8241
7670 W. Lake Mead Blvd., Suite 200
Las Vegas, NV 89169
ssplaine@lgclawoffice.com

*Counsel for Defendant
Convergent Outsourcing, Inc.*

SCHEDULING ORDER

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: June 13, 2023